

Order

Michigan Supreme Court
Lansing, Michigan

October 24, 2007

Clifford W. Taylor,
Chief Justice

131534

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

VALERIE DUBE and DENNIS DUBE,
Plaintiffs-Appellants,

v

SC: 131534
COA: 265887
Wayne CC: 03-338048-NH

ST. JOHN HOSPITAL & MEDICAL CENTER,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the May 16, 2006 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE section VI of the judgment of the Court of Appeals, which affirmed the dismissal of the complaint *with* prejudice, and we REMAND this case to the Wayne Circuit Court for entry of an order dismissing the complaint *without* prejudice. See *Kirkaldy v Rim*, 478 Mich 581 (2007). In all other respects, leave to appeal is DENIED, because we are not persuaded that the remaining questions presented should be reviewed by this Court.



d1017

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 24, 2007

Corbin R. Davis

Clerk